a bank that partitions the plurality of pixels, wherein the TFT overlaps with the bank.--

--34. An EL device according to claim 24, further comprising a plurality of dummy pixels, wherein the dummy pixels and the pixels are substantially equal in pitch.--

--35. An EL device according to claim 24, further comprising a plurality of dummy pixels, wherein the dummy pixels are arranged in lines.--

--36. An EL device according to claim 24, wherein a plurality optically active areas, each of which are surrounded by the dummy areas.--

--37. An EL device according to claim 24, wherein the first EL layer includes at least hole injection material and a luminous material.--

--38. An EL device according to claim 24, wherein the second EL layer includes at least hole injection material and a luminous mater.--

REMARKS

Claims 1-38 are pending. By this Amendment, claims 12, 13, 16-19, 21 and 22 are amended and claims 24-38 are added. Claims 1-11 are withdrawn from consideration due to a Restriction Requirement. Reconsideration based on the above amendments and the following remarks is respectfully requested.

The attached Appendix includes marked-up copies of each claim (37 C.F.R. §1.121(c)(1)(ii)).

Applicants gratefully acknowledge that the Office Action indicates that claims 13-19 include allowable subject matter. Claims 13, 17 and 19 are rewritten in independent form to expedite prosecution of the above-identified patent application.

I. The Claims Satisfy the Requirements of 35 U.S.C. §112

The Office Action rejects claims 12-20 and 23 under 35 U.S.C. §112, second paragraph, as indefinite. Claims 12, 13 and 16-19 are amended to obviate the rejection

according to the Examiner's suggestions. Withdrawal of the rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

II. The Claims Define Allowable Subject Matter

The Office Action rejects claim 22 under 35 U.S.C. §102(b) as unpatentable over Japanese Patent Publication 10-012377 to Shimoda et al. ("Shimoda"); and claims 12, 20, 21 and 23 under 35 U.S.C. §103(a) as unpatentable over Shimoda in view of U.S. Patent No. 6,163,352 to Ichikawa et al. ("Ichikawa"). These rejections are respectfully traversed.

With respect to claims 12, 21 and 22, none of the applied art discloses an organic EL device including, "a dummy area disposed around the effectively optical area, and not over the first set of electrodes in which the second set of electrodes is formed," as recited in claim 12, "the organic EL layer being formed both on areas supposed to be the effectively optical area and on other areas not over the first set of electrodes, which are outside the effectively optical area," as recited in claim 21; or "the organic EL layer being formed in areas not having the first set of electrodes and which are supposed to be the effectively optical area," as recited in claim 22.

Instead, Shimoda discloses an organic EL display body including an electrode 103 and an organic light emitting layer 106 formed above the electrode 103. Additionally, for example, the Office Action asserts that Shimoda discloses a (display) pixel and an EL layer which goes out from the pixel area. The Office Action seems to be relying on the outside area of the pixel as a dummy area. However, the outside area fails to include a dummy pixel as recited by the claimed invention.

Moreover, the outside area (dummy area) of Shimoda is merely disposed around a single pixel. The disclosure of Shimoda is clearly different from the claimed invention because Shimoda does not disclose a dummy area that surrounds the optical active area including a plurality of (display) pixels.

Additionally, the Office Action admits that "Shimoda fails to disclose a dummy area that is disposed around the effectively optical area, in which the electrodes are also formed." Furthermore, the Office Action admits that "Shimoda fails to disclose that the organic EL layer is formed on areas not suppose to be the effectively optical area," but asserts that Ichikawa makes up for these deficiencies.

However, Ichikawa discloses a display area and a peripheral area having no structural differences, see for example Fig. 8. Additionally, since there are no structural differences between the peripheral and display areas, Ichikawa discloses that it is highly desirable that the peripheral circuit sections at the top and lateral sides of the panel are realized in the form of substrate holders that can shield light, col. 15, lines 26-29. Thus, Applicants have found no indication in the applied art of the organic EL device as recited in independent claims 12, 21 and 22.

For the same reasons as discussed above with respect to claims 12, 21 and 22, Applicants respectfully assert that new claims 24-38 are allowable. Support for the new claims is found in the specification and Figs. 3A-D, 4A-B, 8A-C and 12.

Applicants respectfully assert that the rejections under 35 U.S.C. §§102 and 103 should be withdrawn because the applied, whether taken singly or combined, do not teach or suggest each feature of independent claims 12, 21 and 22.

As pointed out in MPEP §2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)." Similarly, MPEP §2143.03 instructs that "[t]o establish *prima facia* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974)."

For at least these reasons, it is respectfully submitted that independent claims 12, 21 and 22 are distinguishable over the applied art. The remainder of the claims that depend from independent claim 12 are likewise distinguishable over the applied art for at least the reasons discussed above, as well as for the additional features they recite.

III. Conclusion

For at least these reasons, it is respectfully submitted that this application is in condition for allowance.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Jeffery M. Lillywhite
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JAO:JML/vgp

Attachments:
Appendix
Amendment Transmittal

Date: April 15, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION
Please grant any extension necessary for entry;
Charge any fee due to our Deposit Account No. 15-0461

APPENDIX

IN THE CLAIMS:

Claims 12, 13, 16-19, 21 and 22 have been amended as follows:

12. (Twice Amended) An organic EL device, comprising:

a ~~plurality~~ first and second set of electrodes;

an organic EL layer formed above each of the ~~plurality~~ first and second set of electrodes;

an effectively optical area in which the ~~plurality~~ first set of electrodes ~~are~~ is formed; and

a dummy area~~, that is~~ disposed around the effectively optical area, and not over the first set of electrodes in which the second set of electrodes ~~are also~~ is formed.

13. (Twice Amended) ~~The~~ An organic EL device ~~according to claim 12~~, ~~further~~ comprising:

a first and second set of electrodes;

an organic EL layer formed above each of the first and second set of electrodes;

an effectively optical area in which the first set of electrodes is formed;

a dummy area disposed around the effectively optical area, in which the second set of electrodes is formed; and

a bank layer disposed between each of the ~~plurality~~ first and second set of electrodes, the organic EL layer in the dummy area being disposed on a layer made of a same material as the bank layer.

16. (Twice Amended) The organic EL device according to claim 13, the bank layer including an organic bank layer, the organic EL layer in the dummy area being disposed on a layer made of a same material as the organic bank layer.

17. (Twice Amended) ~~The~~ An organic EL device ~~according to claim 12~~, comprising:

a first and second set of electrodes;

an organic EL layer formed above each of the first and second set of electrodes;

an effectively optical area in which the first set of electrodes is formed; and

a dummy area disposed around the effectively optical area, in which the second set of electrodes is formed, the organic EL layer in the dummy area being disposed on a layer made of a same material as the electrodes.

18. (Twice Amended) The organic EL device according to claim 17, ~~the~~ further including a bank layer being formed laterally between portions of the organic EL layer in the dummy area.

19. (Twice Amended) ~~The~~ An organic EL device ~~according to claim 12~~, comprising:

a first and second set of electrodes;

an organic EL layer formed above each of the first and second set of electrodes;

an effectively optical area in which the first set of electrodes is formed; and

a dummy area disposed around the effectively optical area, in which the second set of electrodes is formed, adjacent potions of the organic EL layer being disposed at a constant pitch in both the effectively optical area and the dummy area.

21. (Twice Amended) An organic EL device, comprising:

an effectively optical area having a ~~plurality~~ first and second set of electrodes; and

an organic EL layer formed on each of the ~~plurality~~ first and second set of electrodes, wherein the organic EL layer being formed both on areas supposed to be the effectively optical area and on other areas not over the first set of electrodes, which are outside ~~supposed to be~~ the effectively optical area.

22. (Twice Amended) An organic EL device, comprising:

an effectively optical area having ~~a plurality~~ first and second set of electrodes; and

an organic EL layer formed above each of the first and second set of electrodes, wherein the organic EL layer being formed in areas not having the first set of electrodes and which are supposed to be the effectively optical area.

Claims 24-38 are added.